

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCTION)	
LABORERS WELFARE FUND, et al.,)	
)	
Plaintiffs,)	Cause No.: 4:11-cv-1794-JCH
v.)	
)	
A&D ASPHALT SEALING and STRIPING, Inc.,)	
)	
Defendant.)	

JUDGMENT

Plaintiffs filed this action to recover, *inter alia*, delinquent contributions and liquidated damages allegedly owed to the plaintiff employee benefit funds pursuant to 29 U.S.C. §§185 and 1132. Plaintiffs also seek to recover attorneys' fees, accounting fees, and costs incurred in this action. Plaintiffs served the complaint and summons on defendant on October 17, 2011. Defendant has not entered an appearance or filed an answer.

Plaintiffs have established that defendant is party to a collective bargaining agreement with Laborers Local Unions 42-53-110. This agreement requires defendant to submit contributions to the Laborers Funds, and authorizes plaintiffs to examine the financial records of defendant to ascertain whether the required contributions were made.

Based on a payroll examination covering the period of October 20, 2009 through September 30, 2011, defendant owes plaintiffs \$7,465.80 in unreported contributions. On this amount, pursuant to the collective bargaining agreements and ERISA, 29 U.S.C. §1132(g)(2), plaintiffs are owed \$1,493.21 in liquidated damages, and \$181.37 in interest.

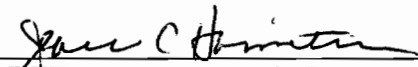
Also, the collective bargaining agreements and ERISA, 29 U.S.C. §1132(g)(2), require defendant to pay plaintiffs' attorneys' fees, accounting fees, and costs. Plaintiffs incurred

\$705.00 in payroll examination fees, \$1,457.00 in attorneys' fees, and \$475.63 in costs. Based on the evidence presented, the Court finds that the services performed by plaintiffs' accountants and attorneys were reasonable and necessary to the litigation of this case, that the rates charged were reasonable, and that the amount sought for attorneys' fees is reasonable.

The total amount owed by defendants to plaintiffs during this time period is \$11,778.01.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that plaintiffs shall recover from defendant the total of \$11,778.01.

SO ORDERED:


UNITED STATES DISTRICT JUDGE

Date: 2/20/12